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October 24, 2022

**MEMO ENDORSED**

VIA ECF

The Honorable Colleen McMahon  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: Steen, et al. v. Assurant, Inc., Case No. 1:22-cv-04571 (CM)

Dear Judge McMahon:

We represent the Defendant in the above-captioned matter. We write jointly with counsel for Plaintiffs to request that the October 25, 2022 deadline to submit a proposed Civil Case Management Plan ("CMP") and the October 27, 2022 Civil Case Management Conference be adjourned. See Doc. 12. On July 7, 2022, the Parties jointly requested that the Court adjourn the CMP deadline in this matter while Plaintiff filed an Amended Complaint and Defendant prepared and filed responsive pleadings. See Doc. 15. Defendant filed its responsive pleadings. See Doc 31-50. Thereafter, the Parties conferred and Plaintiffs filed their Second Amended Complaint. See Doc. 59. The Parties requested an extension through and including November 14, 2022 for Defendant to file responsive pleadings. See Doc. 61. The Court granted the requested extension of time for responsive pleadings. See Doc. 62.

The parties make this request because Defendant intends to file a motion to dismiss and a motion to transfer venue which could alter the required contents of the CMP or obviate it entirely. Accordingly, the parties request that the deadline for the CMP and the Civil Case Management Conference be adjourned for at least thirty days, or alternatively, if Defendant files a motion to dismiss and/or a motion to transfer venue to the Second Amended Complaint to thirty days following any decision issued in response to such motion.

This is the second request for an adjournment of the CMP deadline and the first request to adjourn the Civil Case Management Conference and will not impact any current deadlines in this matter. We thank Your Honor for your time and attention to this request.

10/25/22  
(1) 10/27 conference cancelled  
(2) Defendant has until 11/14 - NO CONFER - & file a response (answer) to the operative pleading motion  
(3) I don't recall granting permission for any SAC's plaintiff only set one amendment as of right for second amendment are normally makes - motion - where is that motion

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Sincerely,

/s/ Eli Z. Freedberg

Eli Z. Freedberg  
Shareholder

EZF